

**Department of Human Services
Office of Rehabilitation Services
State Rehabilitation Council**

March 7, 2005

4:00 PM – 6:00 PM

**RI Department of Labor and Training
Center General Complex 73 (Main Conference Room)
1511 Pontiac Avenue
Cranston, RI 02920**

Meeting Minutes

Present from State Rehabilitation Council: William Anderson, Janice Belasco, Annette Bourbonniere, Raymond Carroll, Bob Cooper, Robin Dolan, Craig Enos, Susan Donovan, Joseph Ferreira, Steven Florio, Elizabeth Graves, Margaret Hoyer, Catherine Sansonetti, Michaela Stannard

Present from Agency: Stephen Brunero

1. CALL TO ORDER AND INTRODUCTIONS - The Chair called the meeting to order at 4:10 P.M.

2. OLD BUSINESS – W. Anderson

1. Additions or deletions to the Agenda

- M. Hoyer asked for a discussion on Changes in Federal and State funding.**
- B. Anderson deferred a follow-up discussion on Handicap parking in Providence for later in the meeting.**

2. Approval of Minutes

Motion

C. Enos made a motion seconded by J. Ferreira and unanimously accepted to approve the minutes from the January 10, 2005 meeting.

3. NEW BUSINESS – W. Anderson

By-Laws Committee – C. Enos

The By-laws committee was asked to review the comments from the Governor's office that spoke to the issue of members waiting for reappointment and to determine if the By-laws needed amending.

The By-laws committee proposed an addition of another paragraph to, Article III – Membership; Section 2 - Appointment of Members

The proposed language

"A Council member having been referred through the Nominating committee and having received approval by a majority vote of the Nominating committee to the Full Council for approval, and having received said approval by a majority of the Council and awaiting re-appointment by the Governor, shall continue in good standing, with all the rights and privileges including the right to vote and hold office, until such time as the Governor's office delivers a letter of re-appointment or delivers a letter of revocation to the Director of The Office of Rehabilitation Services regarding said individual."

Review

Does an individual's term end at the end of their initial letter of confirmation on the date certified? This question had come up and clarification came from the Governor's office that that was not the case. The question then came up at a Council meeting as to whether the Council needed to put this clarification in the By-laws. The Council decided that the By-laws would be amended to address this.

Discussion

There was a discussion concerning whether this would automatically suspend members for whom the Council did not seek re-appointment.

The concern was that the proposed addition to the By-laws would also grant the Council the right not to re-appoint members, which would in effect, take said members' right to vote away that was

granted to them with the Governor's original appointment. This would remove their vote before the Governor had a chance to replace them. The question was asked: Would this proposed By-laws addition circumvent the Governor's authority?

A suggestion was made to run the proposed additional language by the Governor's Legal Counsel before the change was made.

The records show that there has never been a time that the Council recommended a member be removed without first speaking with that member regarding their lack of attendance and participation within the Full Council, thus making it difficult for the Council to do business. And the Council acts expeditiously in serving its members as well as the citizens of the State, in the best interest of Government, before it makes a recommendation.

An example was given regarding a member that had served for three (3) years on the Council and was unable to attend any meetings. The member was up for re-appointment and the Council needed to decide if this member would be re-appointed. Before the Council took any action, they contacted the member, and learned that they would not seek re-appointment. In this regard, would the Council also need to meet and determine to not re-appoint this member?

The Council decided that additional language was needed. The following additional language was added to address the concerns

brought up during this discussion.

Additional Language

'In the event that an individual is not recommended for re-appointment, or chooses not to be re-appointed, the Governor is notified.'

Motion

R. Dolan made a motion seconded by J. Ferreira and unanimously approved to include the additional language proposed by the By-laws committee, as well as the language formulated during the discussion, to the By-laws.

Handicap Parking in Providence

The Chair initiated a discussion by asking if there was any further information regarding the elimination of Handicap parking in Providence since the last Council meeting. He suggested that in the future when topics like this are brought to the Council, if it is determined more information is needed, a team of members should be appointed to investigate that issue further.

It was determined that the Council would wait for B. Cooper's fact finding before taking action.

Suggestion for Future Council Action

- The Council should take a pro-active stance on this issue.**
- A letter to the Providence Traffic Commissioner.**
- A letter to the Mayor of Providence.**
- A letter to the Providence Journal.**
- B. Cooper would try to find an article from the Providence Journal regarding the cuts, and send it to B. Anderson so it can be added to a letter to the Mayor.**

Accessibility to the Arcade

J. Ferreira informed the Council that the Handicap ramp to access the Arcade was not available because the door to it was locked.

Council Action

- J. Ferreira will go back and check and if the door is still locked he will inform the Chair.**
- The Chair will follow this up with the Council to determine an action.**

Break

4. LEGISLATIVE ISSUES

All the Council members are now receiving the Legislative News Letter from the Governor's Commission on Disabilities. With the distribution of this letter through email, the Council is getting legislative information in a timely manner. The report is giving more information than the Council has ever received before. The newsletter staff researches upcoming legislation thus eliminating the need for Council members to do it.

The Executive Leadership Team proposed the elimination of the Legislative subcommittee, advocating instead that Council members review the newsletter and convey any issues they want addressed to a member of the Executive Leadership Team. The Executive Team will then follow up on it and bring a plan before the Council.

Discussion Points

- Council's ability to take action quickly on current legislation issues - By-laws changes enacted last year prohibit the Chair from representing the Council without Council's approval.**
- The need to better coordinate responses from the Full Council.**

Solutions

- **Council members review the newsletter, weekly, and present any issues they want addressed to one of the Executive Leadership Team. The Executive Team will then follow up on it and bring a plan before the Council. If a member reviews the legislative report, weekly, and finds something they want the Council to immediately act on, they can email the Chair, and the Chair can call an emergency meeting.**
- **Members can speak as individuals at legislative sessions.**
- **Motion to allow the Chair to write letters. See page seven (6) for motion.**

Legislative Topic to Address

R. Dolan brought up concerns regarding the possibility of a cap on physical therapy treatments, for people on Disability, of fifteen hundred dollars per year (1,500/YR). She will email W. Anderson with the details.

5. SUBCOMMITTEES

The Chair opened a discussion about incorporating the work that the subcommittees are doing and possibly eliminating subcommittees in an attempt to consolidate them for better functionality and results.

A suggestion was made to incorporate the Quality Assurance

subcommittee with the Employment subcommittee since their work is directly related to the consumers of ORS services, and some of their members sit on both subcommittees.

It was determined that the Quality Assurance subcommittee should not be incorporated and that R. Dolan and S. Florio would Co-chair it. The goal will be for the Co-chairs of the Quality Assurance subcommittee to meet with R. Carroll and S. Brunero to get direction and then to work more cooperatively with the Employment subcommittee thus bundling the responsibilities.

6. ORS ADMINISTRATOR'S REPORT – R. Carroll

1. The Rehabilitation Service Administration (RSA) came to ORS to do a Federal On-Site monitoring visit. They looked at a number of focus areas.

Focus Areas of Monitoring Visit

- Service Record Review – they randomly selected one hundred and five (105) cases for an in-depth review.**
- Standards and Indicators - they wanted to be sure that for every purchased service, ORS has a policy and procedure in place.**
- Third Party Cooperative Agreements.**
- Fiscal Review.**

The RSA monitoring visit required three (3) to five (5) weeks of preparation to provide the TSA with materials and to make ready the ORS's presentation, which the SRC was involved with. There was also an exit interview sent out to ORS staff. Once the RSA provides their report, ORS will present the results to the SRC.

2. Annual Update of The State Plan

ORS is in the process of doing the update for the Plan. Regina Connor has already crafted a timetable that will lead to a Public Hearing for the Plan.

3. RSA Training for SRC's

It was Commissioner Wilson's idea to have these regional training for the SRCs. Region I, New England, will be held on May 18th and 19th. We want to have maximum attendance for this training. R. Carroll, S. Brunero, and N. Baker are part of a New England Planning Group to put this training together.

Participants representing Rhode Island:

R. Carroll, S. Brunero, J. Ferreira, D. Di Orio, and N. Baker.

4. Legislation

- The President's 2006 Budget.**

Reauthorize the Workforce Investment Act. There will be two (2) bills. The House bill: HR27 - has proposed block granting of the Rehabilitation Program with a number of other programs. It was heard last week and announced that there was no amendment to consolidate and block grant the Program. Also involved with this bill was the downgrading of the position of the Commissioner of The Rehabilitation Services Administration from the highest public office appointment by the President and sanctioned by Congress, to merely being appointed within The US Department of Education.

5. Representation on the State Workforce Investment Board – make certain that Vocational Rehabilitation, as a mandatory partner, has a seat on that board.

6. Cost of Living Adjustment - in the VR Program, there is a cost of living adjustment, CPI Urban index, much like what is done for Social Security. There is also another formula used that is based on per-capita income and population. A problem in New England is that we are not even getting a cost of living increase.

7. Closure of the Federal RSA Regional Offices – VR thinks this is very bad public policy and as an organization, sent a letter to the new Secretary of Education expressing this. These proposed closures will start to dismantle the infrastructure, which will start to cause a loss of identity to the VR Program and could cause future losses to the Program itself.

The Council has the power to authorize the Chair to write letters opposing these types of cutbacks.

8. Budget Hearing for the Department of Human Services - ORS was basically held harmless in terms of cutbacks because most of its money, eighty three percent (83%), comes from Federal funds. Most of ORS's programs have not been touched. This was due to in part to the budgetary process starting last August. ORS is in good shape with the State Budget, but there are still concerns for the Federal reauthorization process and the possibility that the block grant idea will come back into legislation.

9. Personnel Update - Services For The Blind will be one hundred percent (100%) filled for the first time in its history. VR is recruiting for one (1) counselor.

7. RECOMMENDATION FOR URGENT LEGISLATION

The Chair opened a discussion regarding legislation that might impact ORS's budget at the State and Federal levels. The Executive subcommittee had discussed this at their last meeting and determined that due to the urgency of potential legislative cuts to the VR Program, the Chair should have authority to send letters, representing the Council, supporting the VR Program. This would allow the Chair to act quickly on any cuts that might negatively

impact the VR Program. The Executive subcommittee determined this would be brought before the Council for their input.

Motion

M. Hoyer made a motion seconded by S. Florio and unanimously approved to authorize the Chair to write a letter(s) in support of the VR Program for any legislation that may come forth from the Federal or State Legislators, which may negatively impact ORS's budget.

Friendly Amendment

B. Cooper made a Friendly amendment seconded by L. Graves with one abstention from A. Bourbonniere to additionally authorize the Chair to appear and testify before the Appropriations Committee and General Assembly when needed, regarding the State Budget.

8. CHAIR'S REMARKS FOR SRC ANNUAL REPORT

The Chair submitted a final draft of his remarks for the SRC Annual Report. The members of the Council accepted it and it was submitted to ORS.

The Chair thanked S. Donavon for volunteering to report to the Council regarding The Rhodes to Independence Meetings.

9. ADJOURNMENT

The meeting was adjourned at 6 P. M.

Respectfully Submitted,

Nancy L. Baker, Staff

State Rehabilitation Council